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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 09-535 CRB (JCS)
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER TO VACATE DETENTION
v.	)	HEARING
	)	
OSCAR ERNESTO ROMERO-ROMERO,	)	
JR.,	)	
	)	
Defendant.	)	
_____	)	

On May 22, 2009, defendant Oscar Ernesto Romero-Romero, Jr. appeared for his initial appearance in Magistrate Court on the above captioned indictment. Mr. Romero-Romero was arraigned on the indictment and entered a not guilty plea, and the matter was continued to June 2, 2009 for a detention hearing. Due to some confusion with where he was being held, Mr. Romero-Romero was not brought to Court for the detention hearing on June 2, 2009, so the detention hearing was continued to Friday, June 5, 2009 at 9:30 am. On June 2, 2009, government counsel provided defense counsel with an immigration detainer for Mr. Romero-Romero. On June 3, 2009, the parties appeared for their initial appearance before the Honorable Charles R. Breyer and set a briefing schedule on certain legal issues.

Given the immigration detained, Mr. Romero-Romero waives his right to seek his release and waives formal findings at this time. He reserves the right to seek his release should

1 circumstances change.

2 Accordingly, the parties hereby stipulate that Mr. Romero-Romero be remanded to the  
3 custody of the U.S. Marshal Service and that the hearing scheduled for Friday, June 5, 2009 be  
4 vacated.

5 IT IS SO STIPULATED.

6  
7 June 4, 2009  
8 DATED

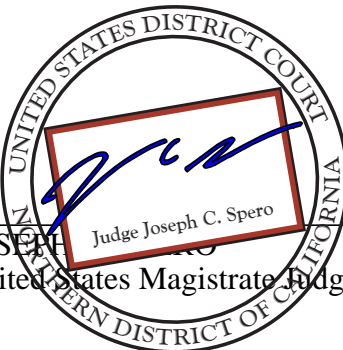
/s/  
\_\_\_\_\_  
DARYL EREMIN  
Assistant United States Attorney

9  
10 June 4, 2009  
11 DATED

/s/  
\_\_\_\_\_  
JODI LINKER  
Assistant Federal Public Defender

12  
13 IT IS SO ORDERED.

14  
15 June 5, 2009  
16 DATED

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JOSEPH C. SPERO  
United States Magistrate Judge